

Debtor: Donald Paul Smith

Case Number 2:05-bk-22051

Period Ended 7 / 31 / 09

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U.S. Trustee Basic Monthly Operating Report

Case Name: Donald Paul Smith Donald Paul Smith Date Filed: August 21, 2009

Case Number: 2:05-bk-22051 SIC Code: \_\_\_\_\_

Month (or portion) covered by this report: 7/1/09 to 7/31/09

IN ACCORDANCE WITH TITLE 28, SECTION 1746, OF THE UNITED STATES CODE, I DECLARE UNDER PENALTY OF PERJURY THAT I HAVE EXAMINED THIS U.S. TRUSTEE BASIC MONTHLY OPERATING REPORT AND THE ACCOMPANYING ATTACHMENTS ON BEHALF OF THE CHAPTER 11 DEBTOR AND, TO THE BEST OF MY KNOWLEDGE, THIS REPORT AND RELATED DOCUMENTS ARE TRUE, CORRECT AND COMPLETE.



ORIGINAL SIGNATURE OF RESPONSIBLE PARTY

8-21-09

DATE REPORT SIGNED

Chapter 11 Trustee - Thomas H. Fluharty

PRINTED NAME OF RESPONSIBLE PARTY AND POSITION WITH DEBTOR

The debtor is required to provide financial reports prepared by or for the debtor in addition to the information required by this form. The U.S. Trustee may permit the debtor to eliminate duplicative information. No such permission is valid unless in writing.

QUESTIONNAIRE:

	YES	NO
1. IS THE BUSINESS STILL OPERATING?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. DID YOU SELL ANY ASSETS OTHER THAN INVENTORY THIS MONTH?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. HAVE YOU PAID ANY BILLS YOU OWED BEFORE YOU FILED BANKRUPTCY?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. DID YOU PAY ANYTHING TO YOUR ATTORNEY OR OTHER PROFESSIONALS THIS MONTH?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. DID YOU PAY ALL YOUR BILLS ON TIME THIS MONTH?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. DID YOU PAY YOUR EMPLOYEES ON TIME?	N/A <input type="checkbox"/>	<input type="checkbox"/>
7. HAVE YOU FILED ALL OF YOUR RETURNS AND PAID ALL OF YOUR TAXES THIS MONTH?	N/A <input type="checkbox"/>	<input type="checkbox"/>
8. DID YOU PAY ALL OF YOUR INSURANCE PREMIUMS THIS MONTH?	N/A <input type="checkbox"/>	<input type="checkbox"/>
9. DID ANY INSURANCE COMPANY CANCEL YOUR POLICY THIS MONTH?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. HAVE YOU BORROWED MONEY FROM ANYONE THIS MONTH?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. DO YOU HAVE ANY BANK ACCOUNTS OPEN OTHER THAN THE DIP ACCOUNT?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. DID YOU HAVE ANY UNUSUAL OR SIGNIFICANT UNANTICIPATED EXPENSES THIS MONTH?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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	Yes	No
13. DID YOU DEPOSIT ALL MONEY FOR YOUR BUSINESS INTO THE DIP ACCOUNT THIS MONTH?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
14. DID THE BUSINESS SELL ANY GOODS OR PROVIDE SERVICES TO ANY BUSINESS RELATED TO THE DIP IN ANY WAY?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. DO YOU PLAN TO CONTINUE TO OPERATE THE BUSINESS NEXT MONTH?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. ARE YOU CURRENT ON YOUR QUARTERLY FEE PAYMENT TO THE UST?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

#### TAXES

DO YOU HAVE ANY PAST DUE TAX RETURNS OR PAST DUE POST-PETITION TAX OBLIGATIONS? ☐ Yes ☐ No

IF YES, PLEASE PROVIDE A WRITTEN EXPLANATION INCLUDING WHEN SUCH RETURNS WILL BE FILED, OR WHEN SUCH PAYMENTS WILL BE MADE AND THE SOURCE OF THE FUNDS FOR THE PAYMENT.

Unknown

(Exhibit A)

#### INCOME

PLEASE SEPARATELY LIST ALL OF THE INCOME YOU RECEIVED FOR THE MONTH. THE LIST SHOULD INCLUDE ALL INCOME FROM CASH AND CREDIT TRANSACTIONS. [If you use an automated accounting system, please attach a copy of the Income Statement and Balance Sheet.]

Form II attached

TOTAL INCOME \$216.59

(Exhibit B)

#### EXPENSES

PLEASE SEPARATELY LIST ALL EXPENSES PAID BY CASH OR BY CHECK FROM YOUR BANK ACCOUNTS PAID THIS MONTH. INCLUDE THE DATE PAID, WHO WAS PAID THE MONEY, THE PURPOSE AND THE AMOUNT. [If you use an automated accounting system, please attach a copy of the Disbursements Journal, otherwise attach a copy of the check register.]

Form II attached

TOTAL EXPENSES \$1325.00

(Exhibit C)

#### CASH PROFIT

INCOME FOR THE MONTH (TOTAL FROM EXHIBIT B)

EXPENSES FOR THE MONTH (TOTAL FROM EXHIBIT C)

(Subtract The Total from Exhibit C from the Total of Exhibit B)

CASH PROFIT FOR THE MONTH -0-

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**UNPAID BILLS**

PLEASE ATTACH A LIST OF ALL DEBTS (INCLUDING TAXES) WHICH YOU HAVE INCURRED SINCE THE DATE YOU FILED BANKRUPTCY BUT HAVE NOT PAID. THE LIST MUST INCLUDE THE DATE THE DEBT WAS INCURRED, WHO IS OWED THE MONEY, THE PURPOSE OF THE DEBT AND WHEN THE DEBT IS DUE.

TOTAL PAYABLES -0-

*(Exhibit D)*

**MONEY OWED TO YOU**

PLEASE ATTACH A LIST OF ALL AMOUNTS OWED TO YOU BY YOUR CUSTOMERS FOR WORK YOU HAVE DONE OR THE MERCHANDISE YOU HAVE SOLD. YOU SHOULD INCLUDE WHO OWES YOU MONEY, HOW MUCH IS OWED AND WHEN IS PAYMENT DUE.

TOTAL RECEIVABLES -0-

*(EXHIBIT E)*

**BANKING INFORMATION**

PLEASE ATTACH A COPY OF YOUR LATEST BANK STATEMENT FOR EVERY ACCOUNT YOU HAVE AS OF THE DATE OF THIS FINANCIAL REPORT. Please redact all but the last four digits of any account numbers which appear on the statements including any attachments thereto.

**EMPLOYEES**

NUMBER OF EMPLOYEES WHEN THE CASE WAS FILED? -0-

NUMBER OF EMPLOYEES AS OF THE DATE OF THIS MONTHLY REPORT? -0-

**PROFESSIONAL FEES**

TOTAL PROFESSIONAL FEES APPROVED BY THE COURT DURING THIS REPORTING PERIOD? -0-

TOTAL PROFESSIONAL FEES APPROVED BY THE COURT SINCE THE FILING OF THE CASE? -0-

TOTAL PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR DURING THIS REPORTING PERIOD? -0-

TOTAL PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR SINCE THE FILING OF THE CASE? -0-

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PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR RELATED TO BANKRUPTCY DURING THIS REPORTING PERIOD? -0-

PROFESSIONAL FEES INCURRED BY OR ON BEHALF OF THE DEBTOR RELATED TO BANKRUPTCY SINCE THE FILING OF THE CASE? -0-

#### PROJECTIONS

COMPARE YOUR ACTUAL INCOME, EXPENSES AND THE CASH PROFIT TO THE PROJECTIONS FOR THE FIRST 180-DAYS OF YOUR CASE PROVIDED AT THE INITIAL DEBTOR INTERVIEW.

PROJECTED INCOME FOR THE MONTH: -0-

ACTUAL INCOME FOR THE MONTH (EXHIBIT B): \$ 216.59

DIFFERENCE BETWEEN PROJECTED AND ACTUAL INCOME: \$ 216.59

PROJECTED EXPENSES FOR THE MONTH: -0-

TOTAL ACTUAL EXPENSES FOR THE MONTH (EXHIBIT C): \$1,325.00

DIFFERENCE BETWEEN PROJECTED AND ACTUAL EXPENSES: \$1,325.00

PROJECTED CASH PROFIT FOR THE MONTH: -0-

ACTUAL CASH PROFIT FOR THE MONTH  
(TOTAL FROM EXHIBIT B MINUS TOTAL FROM EXHIBIT C) -0-

DIFFERENCE BETWEEN PROJECTED AND ACTUAL CASH PROFIT: -0-

[If actual cash profit was 90% or less of projected cash profit,  
please attach a detailed written explanation.]

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# Form 2

Page: 1

## Cash Receipts And Disbursements Record

**Case Number:** 05-22051 RP  
**Case Name:** Smith, Donald Paul

**Trustee:** Thomas H. Fluharty, Trustee (680231)  
**Bank Name:** JPMORGAN CHASE BANK, N.A.  
**Account:** \*\*\*-\*\*\*\*46-19 - Time Deposit Account  
**Blanket Bond:** \$2,000,000.00 (per case limit)  
**Separate Bond:** N/A

**Taxpayer ID #:** 38-6860776  
**Period Ending:** 08/20/09

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Time Deposit Account Balance
11/04/08		FUNDING ACCOUNT: *****4665		9999-000	100,000.00		100,000.00
02/03/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.4500%	1270-000	112.25		100,112.25
03/05/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	12.35		100,124.60
04/06/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	13.17		100,137.77
05/06/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	12.34		100,150.11
06/05/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	12.35		100,162.46
07/06/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	12.76		100,175.22
08/05/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	12.35		100,187.57
<b>ACCOUNT TOTALS</b>					100,187.57	0.00	\$100,187.57
Less: Bank Transfers					100,000.00	0.00	
<b>Subtotal</b>					187.57	0.00	
Less: Payments to Debtors						0.00	
<b>NET Receipts / Disbursements</b>					<b>\$187.57</b>	<b>\$0.00</b>	

# Form 2

## Cash Receipts And Disbursements Record

Case Number: 05-22051 RP  
Case Name: Smith, Donald Paul

Trustee: Thomas H. Fluharty, Trustee (680231)  
Bank Name: JPMORGAN CHASE BANK, N.A.  
Account: \*\*\*-\*\*\*\*46-65 - Money Market Account  
Blanket Bond: \$2,000,000.00 (per case limit)  
Separate Bond: N/A

Taxpayer ID #: 38-6860776  
Period Ending: 08/20/09

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	T-Code	5 Receipts \$	6 Disbursements \$	7 Money Market Account Balance
09/15/08	{9}	Joseph Caldwell, Esquire	funds from: Carl E. Smith, Inc.	1129-000	120,000.00		120,000.00
09/30/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1500%	1270-000	6.88		120,006.88
10/28/08	1001	International Sureties, LTD	Ch 11 trustee bond payment	2300-000		1,000.00	119,006.88
10/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1200%	1270-000	13.08		119,019.96
11/04/08		ACCOUNT FUNDED: *****4619		9999-000		100,000.00	19,019.96
11/28/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.1000%	1270-000	2.48		19,022.44
12/18/08	1002	Office of the U.S. Trustee	Chapter 11 quarterly fees	6990-000		650.00	18,372.44
12/31/08	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	1.34		18,373.78
01/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.74		18,374.52
02/27/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.69		18,375.21
03/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.79		18,376.00
04/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.74		18,376.74
05/29/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.72		18,377.46
06/30/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.79		18,378.25
07/30/09	1003	International Sureties, LTD	Ch 11 Trustee Bond	2300-000		1,000.00	17,378.25
07/30/09	1004	Office of the U.S. Trustee	Ch 11 Quarterly Fees; acct #252-05-22051	2950-000		325.00	17,053.25
07/31/09	Int	JPMORGAN CHASE BANK, N.A.	Interest posting at 0.0500%	1270-000	0.77		17,054.02

Subtotals : \$120,029.02 \$102,975.00

# Form 2

## Cash Receipts And Disbursements Record

Case Number: 05-22051 RP  
Case Name: Smith, Donald Paul  
Taxpayer ID #: 38-6860776  
Period Ending: 08/20/09

Trustee: Thomas H. Fluharty, Trustee (680231)  
Bank Name: JPMORGAN CHASE BANK, N.A.  
Account: \*\*\*-\*\*\*\*46-65 - Money Market Account  
Blanket Bond: \$2,000,000.00 (per case limit)  
Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	8 Money Market Account Balance
ACCOUNT TOTALS							
Less: Bank Transfers					120,029.02	102,975.00	\$17,054.02
Subtotal					0.00	100,000.00	
Less: Payments to Debtors					120,029.02	2,975.00	
NET Receipts / Disbursements						0.00	
					\$120,029.02	\$2,975.00	

TOTAL - ALL ACCOUNTS				Net Receipts	Net Disbursements	Account Balances
CD # ***-****46-19				187.57	0.00	100,187.57
MMA # ***-****46-65				120,029.02	2,975.00	17,054.02
				\$120,216.59	\$2,975.00	\$117,241.59





Thursday, August 20, 2009

[Go to BMS](#)[Account Summary](#) | [Account Detail](#) | [Transactions](#) | [Balance History](#) | [Reports](#)**Account Detail (as of 8/19/2009):**

Trustee:	<b>Thomas Fluharty</b>	Trustee Number:	<b>680231</b>
Account:	<b>312197534665</b>	Available Balance:	<b>\$17,054.02</b>
Type:	<b>MMA</b>	Book Balance:	<b>\$17,054.02</b>
Case #:	<b>05-22051</b>	Accrued Interest:	<b>\$0.46</b>
Case Name:	<b>SMITH DONALD PAUL</b>	Interest Rate:	<b>0.05 %</b>
Opened:	<b>9/15/2008</b>	<input type="checkbox"/> Negotiated	

**Select a Trustee / Account**Trustee: Account: 

OR

Account Try Advanced Search 

Closed:

Go to:

[Transactions\(312197534665\)](#)[Balance History\(312197534665\)](#)[Account Summary](#)

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Thursday, August 20, 2009

[Go to BMS](#)[Account Summary](#) | [Account Detail](#) | [Transactions](#) | [Balance History](#) | [Reports](#)**Account Detail (as of 8/19/2009):**

Trustee: **Thomas Fluharty**      Trustee Number: **680231**

Account: **312197534619**      Available Balance: **\$100,187.57**

Type: **CD**      Book Balance: **\$100,187.57**

Case #: **05-22051**      Accrued Interest: **\$6.17**

Case Name: **SMITH DONALD PAUL**      Interest Rate: **0.15 %**

Opened: **11/4/2008**      ☐ Negotiated

**Select a Trustee / Account**Trustee: Account: 

OR

Account Try Advanced Search 

Closed:

Go to:

[Transactions\(312197534619\)](#)[Balance History\(312197534619\)](#)[Account Summary](#)

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